

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

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UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 07-cv-13588

ETHEL HENLEY,

Defendants.

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**ORDER DENYING REQUEST FOR HEARING**

Pending before the court is Defendant Ethel Henley's Request for a Hearing, filed on April 23, 2015. (Dkt. # 39.) Plaintiff has responded in opposition to the request (Dkt. # 40.) For the reasons stated below, the court will deny the request.

Plaintiff brought this action on August 27, 2007 to recover amounts due on a guaranteed student loan. On October 2, 2007, Plaintiff obtained a Clerk's Entry of Default. (Dkt. # 7.) Plaintiff obtained several Writs of Continuing Garnishment against potential sources of funds, including the Michigan Department of Treasury (Dkt. # 13), ABD Federal Credit Union (Dkt. # 17), and Chrysler Group, LLC ("Chrysler") (Dkt. ## 20, 30). In May 2014, the first Chrysler Garnishment was released pursuant to an agreement whereby Henley would make payments in the amount of \$250 per month. However, Henley ceased making payments in November 2014, so the second Chrysler Garnishment was issued. Garnishee Defendant Chrysler Group, LLC filed and served a Garnishment Disclosure on February 26, 2015.

On March 3, 2015, Henley requested a hearing in order to modify her payment arrangements, which was referred to Magistrate Judge Hluchaniuk. A telephonic

hearing was scheduled for April 9, 2015, but despite several attempts, the court was unable to contact Henley. The court proceeded to hold the hearing without Henley, and denied her request for a redetermination of the payment agreement. (Dkt. # 38.)

A "judgment debtor [is not afforded] the right to more than one . . . hearing," absent a law providing for it. 28 U.S.C. § 3202(d). Henley did not appeal the result of her first hearing and is not entitled to an additional hearing. In any event, Henley's request identifies no applicable grounds for objection to the garnishment as required by 28 U.S.C. § 3205(c)(5). Henley also provides no documentation in support of her position, thus obviating the need for a hearing. See *United States v. Jordan*, No. 04-cv-71107, 2009 WL 1138134 (E.D. Mich. Apr. 27, 2009). For these reasons,

IT IS ORDERED that Plaintiff's Request for a Hearing (Dkt. # 39) is DENIED.

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S/Robert H. Cleland  
ROBERT H. CLELAND  
UNITED STATES DISTRICT JUDGE

Dated: August 27, 2015

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, August 27, 2015, by electronic and/or ordinary mail.

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S/Lisa Wagner  
Case Manager and Deputy Clerk  
(313) 234-5522